

CM/ECF Administrative Procedures

United States Bankruptcy Court
Northern District of Georgia

www.ganb.uscourts.gov



Introduction

These CM/ECF Administrative Procedures ("Procedures") are designed to assist attorneys and others who file with the United States Bankruptcy Court, Northern District of Georgia ("Court"), by setting forth basic procedures for filing documents under the Court's Case Management – Electronic Case Filing System ("CM/ECF" or "CM/ECF System"). These procedures address processes for filing documents by electronic transmission using CM/ECF. The Procedures apply to all documents filed in this Court and govern access to, and usage of, the CM/ECF System and supplement Bankruptcy Local Rules 5005-5 through 5005-9.

The Court anticipated adoption of these Procedures in drafting the Court's Local Rules. However, the Local Rules do not address many of the technical requirements specified in the Procedures. It is therefore important for those filing documents with this Court to review these materials as well as the Local Rules and become familiar with the contents. These Procedures are critical to CM/ECF training but are in no way a summary or substitute for the detailed, step-by-step filing instructions contained in the online Procedures Manual used in formal CM/ECF training. The complete external user's version of the online Procedures Manual is available at <http://www.ganb.uscourts.gov>.

This document is not a comprehensive guide to all aspects of the CM/ECF System as it cannot address every contingency which may arise during the course of filing documents. Any questions about these Procedures may be directed to the Court's CM/ECF Help Desk at (404)215-1000. When the automated attendant answers, press option 2, then option 1 for CM/ECF Help.

Enabling Rules

	Fed. R. Bank. P. 5005(a)(2)	Filing by Electronic Means. A court may by local rule permit documents to be filed, signed, or verified by electronic means that are consistent with technical standards, if any, that the Judicial Conference of the United States establishes. A document filed by electronic means in compliance with a local rule constitutes a written paper for the purpose of applying these rules, the Federal Rules of Civil Procedure made applicable by these rules, and § 107 of the Code.
	Fed. R. Bank. P. 9036	Notice by Electronic Transmission. Whenever the clerk or some other person as directed by the court is required to send notice by mail and the entity entitled to receive the notice requests in writing that, instead of notice by mail, all or part of the information required to be contained in the notice be sent by a specified type of electronic transmission, the court may direct the clerk or other person to send the information by such electronic transmission. Notice by electronic transmission is complete, and the sender shall have fully complied with the requirement of notice, when the sender obtains electronic confirmation that the transmission has been received.
	Bankruptcy Local Rule 5005-5.	Electronic Filing. The Clerk of the Bankruptcy Court may accept for filing documents submitted, signed, verified or served by electronic means that are consistent with technical standards, if any, that the Judicial Conference of the United States establishes and that comply with the administrative procedures established by the Bankruptcy Court.
	Bankruptcy Local Rule 5005-6	(a) Attorneys, Trustees, and Examiner. Any document filed by any attorney, any trustee or examiner serving in any case pending in the Bankruptcy Court, or the United States Trustee, shall be filed electronically, unless otherwise permitted by these Rules. (b) Exceptions to Electronic Filing. (1) Miscellaneous Documents, (2) Discretionary Exceptions, (3) Emergencies, (4) Inability to File Electronically, (5) Documents under seal.
	General Orders	From time to time the Court enters general orders governing the use of the CM/ECF system. All general and administrative orders may be viewed on the Court's web site.

Technical Requirements

- A personal computer with a current operating system and updated virus protection.
- An Internet connection. The faster the Internet connection, the easier CM/ECF is to use. It is recommended that participants obtain fast access to the Internet using DSL, cable or T-1 lines.
- A scanner. Documents that are not on a participant's computer in the form of word processing files must be scanned to be filed electronically.
- A printer.
- A word processing application. The Court standard is Microsoft Word which allows documents to be converted to the PDF format. Other word processors, such as WordPerfect, have this capability as well.
- Adobe Acrobat.
- An Internet browser. CM/ECF has been tested with Firefox and Internet Explorer 8 and 9.
- Petition Preparation software with the case upload feature. Even though it is not required, the increased productivity of professional Petition Preparation software with the case upload feature may justify the additional cost.
- A PACER account to access reports and documents in the CM/ECF database, in addition to a login and password issued by the Court.
- A valid credit or debit card acceptable for payment of filing fees via CM/ECF.

Scanning

Scanning Guidelines

- Resolution should be set to 200 dpi or a maximum 300 dpi.
- Image type should be set to black and white drawing (not gray scale or color).
- Scanned image output or save as format should be TIF (ideally compressed CCITT4).
- Check your scanner software manual for information on how to set output type.
- A test scan should be made and the file converted to PDF ready for upload to CM/ECF. The PDF conversion can be done with a software package such as Adobe Acrobat. Drag the scanned file onto the Acrobat icon and conversion is automatic. This conversion should not significantly increase the file size.

CM/ECF Operations Help Desk

Questions regarding CM/ECF, procedures, systems or technical support

**Main telephone number
(404) 215-1000**

Automated system available 8:00 a.m. – 4:00 p.m., Monday through Friday (excluding Federal holidays)

- Select option 2 for ECF questions
- Select option 1 for procedural questions
- Select option 2 for technical support

CM/ECF Registration

Starts the process to gain access to the court's database to allow users to file electronically with the court.

Step	Description	Notes
1	Complete a CM/ECF Registration form	Attorneys and creditors interested in obtaining access to (CM/ECF) in order to electronically file should complete the PDF-fillable Registration form available on the court's Web site. The Registration form may be submitted electronically or by printing and mailing to: CM/ECF Coordinator, Clerk's Office, United States Bankruptcy Court, 75 Ted Turner Drive, SW, Room 1340, Atlanta, Georgia 30303.
	Attorney Registration Form	Attorney Registration Form
	Creditor Registration Form and signatures	<ul style="list-style-type: none"> Parties who are not attorneys may become Limited Participants in the Court's CM/ECF System for the purpose of filing electronically proofs of claims, transfers of claims, Certificates of Debtor Education, and reaffirmation agreements without the assistance of any attorney. At least one employee or agent of a Creditor who is to be responsible for uploading documents for that creditor must complete and submit the filer registration form which is available at the Court's website. Creditor Registration Form
2	Training	<ul style="list-style-type: none"> No person or entity shall cause a document to be filed electronically without the express authorization of the individual whose signature appears on the electronically filed document and the entity on whose behalf the document is being filed. The imaged /s/ or signature of the Responsible Person must appear on each document. In filing each document, the Filer certifies that (i) he or she is authorized to file the document by the entity on whose behalf the document is being filed, (ii) the Creditor is the same entity stated on that individual's application to use the CM/ECF System, and (iii) the Responsible Person whose signature appears on the document has authorized its filing. The Responsible Person who directs the filing of a document bears the same responsibility for the document and information provided therein as would be the case if the document were filed in paper form.
		<ul style="list-style-type: none"> A participant must complete the training provided by the Court and learn the basics using the training database before the Clerk will issue a login and password to the LIVE database. The CM/ECF Live password will not be assigned until a Participant has demonstrated sufficient aptitude in using CM/ECF, based on testing conducted by Court personnel. A new Participant should notify the Clerk's Office when testing requirements have been completed and/or submitted, so they can be reviewed. The CM/ECF Train database is a safe environment used to practice CM/ECF entries for new or unfamiliar events, train new employees, and to complete Court training requirements. https://ecf-train.ganb.circ11.dcn/cgi-bin/login.pl Training requirements may be waived for current CM/ECF participants in another Bankruptcy Court.
		<ul style="list-style-type: none"> A participant may permit employees or other persons associated with the Participant to use the Participant's password. A new Participant should change the assigned password immediately upon receiving it. It is prudent to change a password periodically, especially after a change in office personnel who used it. A Participant whose password is used to electronically file a document thereby certifies that the Participant authorized the filing, and the use of the Participant's password constitutes the Participant's signature on the document filed, regardless of whether the signature is shown on the document. Unauthorized use of a password is prohibited. Any Participant having reason to believe that the security of an existing password has been compromised or that a threat to the Court's computer system may exist shall immediately notify the Clerk, the Chief Deputy Clerk or Systems Department Manager by telephone, and confirm the notice in writing, so as to prevent possible unauthorized access to the Court's computer System. If a Participant has any reason to suspect the password has been compromised, it is the Participant's duty to change the password immediately through the "Your Account", "Change My Password" option under the "Utilities" function of the CM/ECF System. Contact the CM/ECF Operations Help Desk for forgotten Login or Passwords.
3	Use and Protection of Password	

Public Access to the docket and documents.

	Description	Notes
	Internet Access with a Password	Any person with a valid PACER login and password may access the CM/ECF System at the Court's website: http://www.ganb.uscourts.gov . A PACER login and password can be secured by contacting the PACER Service Center at 1-800-676-6856 or online at http://pacer.psc.uscourts.gov .
	"Free Look"	Participants will not be charged for a one-time "free-look" (i.e. initial retrieval, download, viewing or printing of a document) when the document is accessed directly from an e-mail notification or summary of documents filed in cases in which the Participant has appeared or is designated. The Participant must activate this feature in CM/ECF through "Maintain Your ECF Account" option under the "Utilities" function.
	Public Access at the Court	The public will have electronic access to <u>view</u> bankruptcy records at no charge at the courthouse in each Divisional Office during regular business hours, 8:00 a.m. to 4:00 p.m. A fee will be charged for printed copies.
	Conventional Copies and Certified – Exemplified Copies	Conventional copies and Certified/Exemplified copies of electronically filed documents may be purchased through the Clerk. The fee for copying, certification, and/or exemplification will be accordance with the fees imposed by 11 U.S.C. 1930.

CM/ECF System Failure

	<p>This section only applies if the COURT'S server is down and not due to a technical or other problem with your computer or system.</p>	<p>A Participant whose electronic filing is made untimely as the result of a technical failure of the Court's CM/ECF System may seek appropriate relief by motion and must attest by affidavit in support of such motion to having made reasonable attempts to file electronically. If a participant will be unable to complete an electronic filing prior to a legal deadline due to a technical failure of the CM/ECF System, the Participant should fax the pleading showing original signatures to the Clerk at:</p> <p style="text-align: center;">Atlanta -- (404) 730-2216 Gainesville -- (770) 535-2224 Newnan -- (770) 251-8538 Rome -- (706) 291-5647</p> <p>The faxed documents will be deemed filed as of the minute the first page is received, but the Clerk must receive the entire document. On the next business day, the originals must be delivered to the Clerk. A note informing the filing desk that you filed by fax must be attached. This option is available only to CM/ECF Participants, and only in the event of a Court-wide system failure, and must not be abused.</p>
--	---	--

Fees

	Fees policy	<ul style="list-style-type: none"> • The Clerk is required to collect fees at the time of filing of any fee related document (See 28 U.S.C. Section 1930). • Filers should pay fees before closing each CM/ECF session. • If a fee is due, CM/ECF will prompt the user to Continue Filing or Pay Now. • To access the credit card module pop-up window at any time select Reports – Credit Card Payments (Outstanding).
	Email notice for outstanding fees	<ul style="list-style-type: none"> • An automated notice will be e-mailed to the participant regarding any outstanding fees due. • If fees remain outstanding, the participant's ability to file documents via CM/ECF will be automatically disabled.
	How to pay an outstanding fee	<ul style="list-style-type: none"> • Click on link Internet Payments Due to log in to CM/ECF to make payments.
	How to create a fee	<ul style="list-style-type: none"> • If a document was filed using an incorrect event code and the fee was not auto-generated, the user or the Clerk can create the charge. • Select Bankruptcy - Payment of Fees – select the appropriate fee event.
	How to reinstate filing privileges after lockout	<ul style="list-style-type: none"> • When the outstanding fees have been paid, filing privileges are automatically restored. • If not, log out of CM/ECF, close and reopen your browser and log in to CM/ECF and/or clear your cache and temp files.

Documents which cannot be filed electronically

	Description	Notes
	Sealed Documents (sealed or to be sealed)	<ul style="list-style-type: none"> • Documents that should be sealed must NOT be filed electronically. • A filer may electronically file a Motion to Seal requesting an order that specifies documents to be filed in paper form be sealed. • Bankruptcy Local Rule 5005-6(b)(5) governs motions with regard to the filing of documents under seal. • Counsel should alert Chambers when filing such a motion.
	Pre-Petition Federal Tax Returns	<ul style="list-style-type: none"> • Typically, these documents are to be submitted directly to the Trustee.
	Applications to Appear Pro Hac Vice	<ul style="list-style-type: none"> • Bankruptcy Local Rule 9010-2. Permission to practice in a particular case. See online Procedures Manual for instructions for filing an Application for Admission Pro Hac Vice. See the Court's website for the local form.
	Proposed Orders to Disburse Unclaimed Funds	<ul style="list-style-type: none"> • These proposed Orders, with original signatures, should be forwarded to the Court in paper format for processing upon filing of the Application or Petition to Disburse.
	CM/ECF Attorney Participant's Change of Address	<ul style="list-style-type: none"> • The change of address for an attorney must be submitted in writing and the Clerk's office will make the change to the attorney's CM/ECF account. Please send a change of address letter to: CM/ECF Coordinator, Clerk's Office, United States Bankruptcy Court, 75 Ted Turner Drive, SW, Room 1340, Atlanta, Georgia 30303. Please note in your letter if this address change affects all your cases; if not, please specify the case numbers affected by your change of address.

Service and Proof of Service

	Generally, including Notices	<ul style="list-style-type: none"> See Bankruptcy Local Rule 5005-8.
	Consent to Electronic Service	<ul style="list-style-type: none"> Pursuant to Fed. R. Civ. P. 5(b)(2)(D) and Fed. R. Bankr. P. 9022, with the exception of service of process under Fed. R. Bankr. P. 7004, registration to file electronically constitutes the Participant's consent to accept service by electronic means and is a written waiver of service by other means (e.g., first-class mail). The Chapter 13 Trustees have requested that electronic service be made, as appropriate, to the following: Mary Ida Townson – ecf@atlch13tt.com Nancy Whaley -- SERVICE@NJWTRUSTEE.COM Adam Goodman – mail@13trusteeatlanta.com
	Certificate of Service	The reference to electronically mailed notice that appears on most CM/ECF Notices of Electronic Filing is not service or a substitute for service of the document to which that Notice refers. Participants remain responsible for serving electronically either to ECF Participants or by paper to non-ECF Participants.

Retention of Verified Pleadings

	Summary of Bankruptcy Local Rule 5005-7(c)	<p>The person filing a Verified Paper:</p> <ol style="list-style-type: none"> 1) Shall maintain in such person's files the original Verified Paper in its entirety for a period ending one year after the case or proceeding in which the Verified Paper is filed is closed; 2) Shall produce the original for inspections and copying upon request of the Court or any party in interest; and 3) If ordered by the Court, shall transmit the original to the Clerk.
--	--	---


Redaction of Personal Identifiers

	It is the responsibility of the party filing the document to make certain that personal data have been redacted before filing.	E-filers must use extra care to make sure that the PDF documents to be submitted via CM/ECF are fully and completely free of any hidden data which may contain redacted information.
	Local Redaction Policy, Transcript Privacy Policy and Metadata Redaction Guide	Policy documents available at http://www.ganb.uscourts.gov .
	Fed. R. Bank. P. 9037(a)	<p>Privacy Protection for Filings Made with the Court. Unless the Court orders otherwise, in an electronic or paper filing made with the court that contains an individual's social-security number, taxpayer-identification number, or birth date, the name of an individual, other than the debtor, known to be and identified as a minor, or a financial-account number, a party or nonparty making the filing may include only:</p> <ol style="list-style-type: none"> 1) The last four digits of the social-security number and taxpayer-identification number; 2) The year of the individual's birth; 3) The minor's initials; and 4) The last four digits of the financial-account number.
		Redaction of any other information shall be by order of the Court.

Orders

	Upload an Order via CM/ECF e-orders	Instructions for uploading a proposed order via CM/ECF are available at http://www.ganb.uscourts.gov .
	E-Mail Transmission	Some judges have specific instructions regarding e-mail communication with chambers. To determine if a particular judge allows e-mail transmissions of proposed orders, please review the judge's page on the Court's website .
	Entry of Orders	Orders, decrees, and judgments of the Court may be docketed electronically by the Court. Any order docketed and transmitted through CM/ECF without the original signature of the judge has the same force and effect as if the judge had affixed the judge's signature to a paper copy of the order.
	Service	The Court will continue to serve copies of orders on appropriate parties.

CM/ECF Menu Options

	Description	Notes
	Query	<ul style="list-style-type: none"> • Search for a particular case or adversary proceeding by case number, social security number/tax id and/or name. • Searches by name are not case sensitive. • The last name field is used for searches of business names. • The user must type at least two letters of a name. • When searching by name, a user can restrict the search by selecting the party Type from the drop-down menu. • Click on the yellow question mark in the blue banner menu to get specific instructions throughout the Query screens.
	Reports	<ul style="list-style-type: none"> • The selection criteria for available reports are detailed on the help screen that can be accessed by clicking on the yellow question mark. • A user can limit the report to a particular case by specifying its case or adversary number.
	Utilities	<ul style="list-style-type: none"> • Utilities is a collection of programs that a user can run to review or change information about the user's interaction with CM/ECF. • Select Maintain Your ECF Account to change user name, address information, login and password. If you have more than one login, you will need to change your information for each one.
	Search	<ul style="list-style-type: none"> • Use this option to quickly get to the menu option or docket event that you need. Type in some letters of a word, and a complete list of menu items and events whose names contain those letters is displayed. Each of the displays is a link, so that all you have to do is click it -- if it's an event, you go immediately to the first screen for docketing.
	 Procedures	<ul style="list-style-type: none"> • Use this option to access the online Procedures Manual, which contains detailed step-by-step instructions for filing documents via CM/ECF.
	?	<ul style="list-style-type: none"> • Use this option to see a HELP file for the screen you are viewing in CM/ECF.

List of Creditors

	Bankruptcy Local Rule 5005-1(j).	•Bankruptcy Local Rule 5005-1(j). List of Creditors in Main Case. In addition to the schedules (or list of creditors if schedules are not filed with the petition), the debtor in a case under any chapter shall file a list of all creditors in mailing matrix format, as described in the guidelines available from the Bankruptcy Clerk, except that, if the debtor files the petition initiating a case through the Electronic Case Filing Program, the list of all creditors shall be filed in the format prescribed by the Electronic Case Filing Procedures.
	Guidelines for List of Creditors	<ul style="list-style-type: none"> • Creditor's name must be on the first line. • City, state and zip code must be on the last line. • Nine-digit zip codes must contain a hyphen • Names and addresses must be flush against the left margin. • Each line may contain no more than 40 characters. • No more than five lines of information per creditor. • Each creditor must be separated by one blank line.
	Do NOT include	<ul style="list-style-type: none"> • Account numbers or amounts owed. • Symbols in the address lines (i.e. #, %, &, etc). • Headers/titles, footers, page numbers.
		<ul style="list-style-type: none"> • Related CM/ECF docket events include Upload List of Creditors and Amended List of Creditors. • Lack of proper notice may result in no discharge of a debt owed.

Change of Address

	Description	Notes
	Bankruptcy Local Rule 9007-3	<ul style="list-style-type: none"> • Any party in interest which desires that its address for notices be changed from the address shown on any proof of claim, request for notice, or other paper previously filed by such party must file such request with the Bankruptcy Clerk and serve a copy of same on the debtor's attorney, the United States Trustee, and the trustee. Changes of address must be filed in each adversary proceeding, and filing in the main case alone is not sufficient. A party shall not be entitled to notice at the new address in the absence of complete compliance with the Rule.
	CM/ECF Attorney Participant's Change of Address	<ul style="list-style-type: none"> • The change of address must be submitted in writing and the Clerk's office will make the change to the attorney's CM/ECF account. Please send a change of address letter to: CM/ECF Coordinator, Clerk's Office, United States Bankruptcy Court, 75 Ted Turner Drive, SW, Room 1340, Atlanta, Georgia 30303. Please note in your letter if this address change affects all your cases; if not, please specify the case numbers affected by your change of address. • Attorneys cannot change their mailing address in CM/ECF.
	Change of Address of behalf of a party	Docket the change of address for the party. The Clerk's Office will update the record. Local form F65 is available on the Court's website: http://www.ganb.uscourts.gov .

Understanding the Notice of Electronic Filing (NEF)

	<p>The Notice of Electronic Filing (NEF) confirms that the document was filed. It shows the following Information:</p> <ol style="list-style-type: none"> 1) The exact date and time the document was filed. 2) The case name, case number, and the document number. 3) The docket text. 4) The parties in the case to whom notice will be electronically sent. 5) The parties in the case to whom notice will not be electronically sent 	
	<p>TIP: Clicking on the hyperlink for the "<i>case number</i>," "<i>case name</i>," will prompt you for your PACER login and password, then displays the <i>Docket Report</i> screen. Clicking on the hyperlink for the "<i>document number</i>" will also prompt you for your PACER login and password, then display the "<i>Document</i>" itself.</p>	

DO's and DON'Ts

DO	Search for CM/ECF docket events	Use the SEARCH feature on the CM/ECF menu bar to locate the correct docket event.
	Remember signatures	Make sure all signature lines have /s/ and that the filer's name is typed on or below the signature line.
	Pay outstanding fees	Reports -> Credit Card Payments Outstanding
	Use Payment of Fees event correctly	To be used when making an installment payment for filing fees, or when an incorrect docket event was chosen and no fee was collected.
DON'T	Combine unrelated documents	<p>Never include a Chapter 13 Plan with any other document.</p> <p>Never include the Statement of Social Security Number, Form B21, with any other document.</p>
	Forget to review documents for compliance with Fed. R. Bank. P. 9037(a)	Do not include full social security numbers, tax identification numbers, birthdays, financial-account numbers and names of minors.

Frequently Used Websites

Court Website	http://www.ganb.uscourts.gov •To view Bankruptcy Local Rules, General Orders, local forms, online Procedures Manual, open calendar dates, and other useful information.
ECF Login - Live	https://ecf.ganb.circ11.dcn/cgi-bin/login.pl
ECF Login - Train	https://ecf-train.ganb.uscourts.gov/cgi-bin/login.pl
PACER - Public Access to Court Electronic Records	http://www.pacer.gov/register.html •User may register and create an account in order to view and print electronic dockets and documents. •Applicable fees apply.
Adobe	http://www.adobe.com •PDF software required to convert documents into format for electronic filing.
National Creditor Registration Service	https://ncrs.uscourts.gov/ •For Preferred creditor mailing addresses and electronic noticing.
U. S. Postal Service	https://www.usps.com/ •Postal rules, mailing address and zip code information.
Bankruptcy Basics	http://www.uscourts.gov/FederalCourts/Bankruptcy/BankruptcyBasics.aspx
United States Trustee Program	http://www.justice.gov/ust/ •Information about means testing, credit counseling and debtor education.

Addendum to CM/ECF Administrative Procedures
Policy Effective August 1, 2015

Policy Regarding Electronic Filing by Attorneys

In accordance with BLR 5005-6, attorneys admitted to the Bar of this Court are **required** to file documents electronically pursuant to the Court's electronic case filing procedures (CM/ECF Administrative Procedures).

Registration Forms

Information about registration is found on Page 3 of the Court's CM/ECF Administrative Procedures. Both the procedures and the forms are available on the Court's website at www.ganb.uscourts.gov.

Affidavit of Inability to File Electronically

With regard to Affidavits of Inability to File Electronically submitted pursuant to BLR 5005-6(b)(4), the Chief Bankruptcy Judge has delegated this process to the Clerk of Court. Therefore, such Affidavits should be submitted in writing to the Clerk of Court.

Limited Exceptions to Policy

- Attorneys who file less than five new cases or pleadings within a calendar year.
- Attorneys newly admitted to, or newly practicing in this Court, will be given a grace period of 30 days from their first filing with the Court to register for electronic filing or file an Affidavit pursuant to BLR 5005-6(b)(4).

Documents Not Filed Electronically

Attorneys who qualify for one of the above exceptions to this policy, or attorneys who are currently not required to file electronically pursuant to BLR 5005-6(b)(4), may file documents with the Court using one of the following options:

1.) File and Scan the paper document into electronic format at scanners available at the public intake area of the Office of the Clerk in the appropriate division during normal business hours.

- Documents filed in paper format must have the original signature(s) of the attorney, and party if applicable, filing the document.

- or -

2.) File document on CD in pdf format accompanied by a Declaration and Request to File document on CD.

- The Declaration form is on the court's website under Forms, Local Forms at www.ganb.uscourts.gov.
- A label must be affixed to the CD that contains (a) the name of the debtor for a voluntary petition, or the case name and number of an existing case; and (b) the name and telephone number of attorney filing the CD.

Failure to Comply with Policy and CM/ECF Administrative Procedures

Failure to comply with this Policy and the CM/ECF Administrative Procedures will be referred to the Chief Judge and/or Clerk of Court for further action.